

THE TOWN OF FOREST HEIGHTS  
RESOLUTION 04-21

A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE CUSTOMER AGREEMENT BETWEEN THE TOWN OF FOREST HEIGHTS (THE "TOWN") AND SENSYS GATSO USA, INC. AND GENERALLY RELATING TO CONTRACTUAL SERVICES FOR SPEED MONITORING AND RED-LIGHT SYSTEMS

Introduced By: Mayor Habeeb-Ullah Muhammad

**WHEREAS**, the Charter, Section 33-90 authorizes the Mayor and Council to pass certain legislation of a non-permanent or administrative nature by formal resolution in lieu of ordinance; and

**WHEREAS**, the Charter, Section 33-63 authorizes the Mayor and Council to enter into all purchases and contracts on behalf of the Town; and

**WHEREAS**, on January 9, 2017, Resolution 01-17 was approved authorizing the Mayor to enter into a Customer Agreement with Gatso USA, Inc. for the operation of speed cameras in Town, to replace the previous vendor; and

**WHEREAS**, on February 21, 2018, Resolution 12-18 was approved authorizing the Mayor to enter into Amendment No. 1 to Customer Agreement with Gatso USA, Inc. to allow Gatso USA, Inc. to coordinate contested ticket hearings with the court and arrange docketing, and to allow the Town's debt collection agency instead of Gatso USA, Inc. to take responsibility for flagging registrations of delinquent accounts; and

**WHEREAS**, on or about September 19, 2018, the Mayor and Council approved Ordinance 03-18 which included approval of Amendment No. 2 to the Customer Agreement between the Town and Sensys Gatso USA to enhance the Town's traffic and parking systems by including two (2) red light cameras and two (2) parking enforcement tablets and to provide associated back-end processing services in addition to the Town's existing speed camera program services; and

**WHEREAS**, the FHPD has decided to move in a different direction concerning parking enforcement; and

**WHEREAS**, the Mayor and Town Council finds that it is in the best interest of the Town to hereby again amend the existing contract with the current vendor and enter into a third amended service agreement with Gatso USA, Inc. primarily in order to (i) reflect the desire of the parties to remove the provision of a parking program to the existing speed enforcement contract with Gatso and (ii) modify the contract term and fee structure; and

**WHEREAS**, the parties desire to approve an Amendment No. 3 to the Customer Agreement with Gatso USA, Inc. in accordance with the terms and conditions as set forth therein.

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**NOW THEREFORE BE IT RESOLVED**, that the Town Council hereby approves and authorizes the Mayor to execute on behalf of the Town an Amendment No. 3 to Customer Agreement by and between The Town of Forest Heights, Maryland and Sensys Gatso USA, Inc. (the "Third Amended Customer Agreement"), including any terms, conditions or obligations found therein, which is attached hereto and incorporated by reference herein as Exhibit 1; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon passage.

PASSED this 17 day of January 2020.

**APPROVED:** By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

yea

KENNEDY II

yea

NOBLE

yea

BARNES

yea

HINES

yea

WASHINGTON

yea

ATKINSON

yea

ATTEST:

**SIGNATURE ON FILE**

Sherletta Hawkins, Town Clerk

THE TOWN OF FOREST HEIGHTS,  
MARYLAND

By: **SIGNATURE ON FILE**

Mayor Habeeb-Ullah Muhammad, Mayor

By: **SIGNATURE ON FILE**

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 17 day of January 2021 with 7 Aye votes and 0 Nay votes the aforesaid Resolution 04-21 passed.

**SIGNATURE ON FILE**

Sherletta Hawkins, Town Clerk

Exhibit 1— (Amendment No. 3 to Customer Agreement (Sensys Gatso USA, Inc.))

The Town of Forest Heights

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